

FORESTRY, LAND, & RECREATION COMMITTEE
MINUTES OF MEETING

DATE: November 7, 2012
TIME: 9:00 a.m.
PLACE: Committee Room 1, Court House, Rhinelander, WI

PRESENT: Vice-Chair Sorenson; Committee Members: Martinson, Rudolph,. Forestry Staff: Bilogan, Fiene, Bradley. Corp Counsel, Brian Desmond.

OTHERS: Bill Welsh, Lester Felbab, OCATVA. Manny Oradei, DNR.

CALL MEETING TO ORDER— At 9:00 a.m. Vice-Chair Sorenson called the meeting to order, noting that it had been properly posted in accordance with the procedures set forth by the Wisconsin Open Meeting Law.

APPROVE CURRENT AGENDA WITH THE ORDER OF AGENDA ITEMS AT CHAIR'S DISCRETION— It was moved by Rudolph, seconded by Martinson, to approve the current agenda with the order of agenda items at Chair's discretion. All aye. Motion carried.

APPROVE MINUTES OF THE OCTOBER 3, 2012 FORESTRY COMMITTEE MEETING— It was moved by Martinson, seconded by Rudolph, to approve the minutes of the October 3, 2012 Forestry Committee meeting. All aye. Motion carried.

PRESENTATION BY TRACY BENZEL. A transcript of the presentation is attached to, and made part of, these minutes.

PUBLIC COMMENTS

Karl Fate – Mining oversight committee was a waste of tax dollars. The committee had contempt for public process over and over again. If that particular language is not stricken, it will be used as another excuse to bring this up again to shove a mine through without any open public debate.

Alan VanRaalte – I don't have any particular problem with the language as it exists today, but I think it should be a separate committee, which could be dormant unless and until mining issues return. To have such committee under the aegis of the Forestry Committee restricts membership to those who, while they may be well-versed in Forestry, Land and Recreation, may not necessarily possess the planning, business and ecological expertise required to best serve the county and citizens regarding mining. It also seems presupposed that potential mining would occur only on county-owned land, leaving state, federal and private land open to question. Creating a separate committee allows the County Board Chair the flexibility to populate that committee with the skills previously mentioned. And just for the record, I am not, repeat not, opposed to any and all mining. It is my opinion that to have entered into contracts with the three companies who expressed interest would have been tantamount to a stupid business decision. Two of the three companies are on the verge of bankruptcy.

FOREST MANAGEMENT—Fiene reported the Year-to-Date Timber Stumpage Revenue is at \$753,559.61. No Timber Sales for Disposition. Reported bids on November sale. Bilogan reports 2012 Timber sales total was a record at \$1,390,000. Martinson moved that all bids be accepted contingent on reference checks. Rudolph seconded. All aye. Motion carried.

REVIEW EXISTING FEE SCHEDULE POLICY. – Returned to Department for next agenda.

ATV ROUTE ORDINANCE AMENDMENT — Bilogan reports that the new trail extension in Enterprise requires using a small portion of Bowman Road as an ATV route, as described in the ordinance amendment resolution. Rudolph moved to accept, Martinson seconded. All aye. Motion carried.

MOSQUITO CREEK SNOWMOBILE BRIDGE UPDATE – Bilogan reported that an offer was drafted to relinquish the bridge to the Goehlke family. They indicated they are interested in taking ownership and future responsibilities for upkeep.

WINTER GATE OPENING POLICY – Bilogan requested that the committee approve his request to deviate from the normal opening policies of opening gates after deer season. There are two newly developed trails, Hilderbrand & Burrows, which still have some bulldozing and final touches, with raw, exposed soils. To keep the trail from being rutted, request keeping these gates closed until the ground is frozen and snow covered. Rudolph moved to amend the gate opening policy as presented. Martinson seconded. All aye. Motion carried.

RECREATIONAL MAPS PURCHASE – Bilogan reported that 4000 recreational maps have been ordered from a local printer, as per the 2012 budget.

ASSISTANT DIRECTOR (FIENE) ATTENDANCE AT FUTURE FLRC MEETINGS – Shidell had requested this agenda item last meeting. Rudolph stated that his feeling is that Fiene should continue to attend as other forestry-related items come up during meetings. Bilogan concurred. Sorenson agreed. The committee directed Bilogan to use his discretion and have the Assistant Director continue to attend as needed.

CHEQUAMEGON-NICOLET NATIONAL FOREST ALLOWABLE SALE QUANTITY RESOLUTION — Bilogan presented a copy of a resolution approved by various county boards whose area contains National Forest. These counties are urging the Forest Service to increase logging activity. He provided a sample resolution for Oneida County to consider.

Bob Martini asked how the counties would be reimbursed for setting up sales. He also noted that an influx of additional lumber may affect the market adversely. He felt long-term phasing in requirements should be included in the resolution.

Martinson suggested that Rep Thomas Tiffany be invited come to a committee meeting to discuss the timber issue. Rudolph noted that this resolution is just supporting the counties' proposal that the National Forest come closer to allowable harvest. It has nothing to do with funding at this point. He moved the resolution be approved and forwarded to the County Board. Martinson seconded. All aye. motion carried.

REVIEW MINING LANGUAGE RESOLUTION 87-2012 – Vice-chair recommended this item be deferred because two committee members are absent. Consensus was to put on next agenda. There was a question from the audience regarding any work done on a referendum. Bilogan noted Forestry has not done anything more in that regard.

Martinson moved that any committee members may attend the Forest Service meeting in Mole Lake. Rudolph seconded. All aye, motion carried.

VOUCHERS AND LINE ITEM TRANSFERS. It was moved by Martinson and seconded by Rudolph to approve the expenditures. All aye. Motion carried.

AGENDA ITEMS FOR FUTURE FORESTRY COMMITTEE MEETING(S): Mining Language Resolution; Forest Director's annual review goals, Fee schedule.

PUBLIC COMMENTS. No additional comments.

NEXT FORESTRY COMMITTEE MEETING—*Wednesday, December 5, 2012, 9:00 a.m.*

ADJOURNMENT—With business completed, it was moved by Rudolph, seconded by Martinson, to adjourn the meeting at 10:10 a.m. All aye. Motion carried.

JACK SORENSEN
VICE-CHAIR

JILL BRADLEY
RECORDING SECRETARY

TRANSCRIPT OF PRESENTATION BY TRACY BENZEL TO ONEIDA COUNTY FORESTRY, LAND AND RECREATION COMMITTEE ON NOVEMBER 7, 2012.

(Recording did not pick up occasionally. Where unable to discern, inserted ellipses ...)

... some inaccurate statements presented to the County Board and I would like to correct some of those inaccuracies, present some suggestions how to educate 30,000 residents of the county and of course, reiterate my availability to assist.

Who am I to correct, to suggest improvements? I am a professional consultant. I am a credentialed, licensed professional. I am a scientist by education. Like a doctor, engineer, or geologist, I am licensed in the state of Wisconsin to practice in my field of science. I work with heavy metals, dioxin, PCB's, pollutants, wastewater treatment plants, with regulators, with permitting and deregulation. I work with risk assessment, how much goes where, safe and unsafe levels...I have a code of ethics for licensing in a professional organization. I have been doing it for 20 years in this county. ...Just a sideline, when I was hired by one company to provide information, I was denied access to county board members and denied access as an agenda item by the Town of Lynne. My livelihood depends on my integrity and I am offended by those who suggest that because I had an exploration company as a client on a \$7500 project, that I can't be trusted.

All opinions are not equal. When a licensed civil engineer designed the wastewater treatment plant and plans reviewed by licensed regulators...and they decided the plan will meet ...limits.... a retired teacher's speculation that it might fail does not carry much weight. Licensed geologists do not testify about aquatic organisms. Wastewater treatment operators do not testify about the structural safety of a mine roof. When a non-engineer states that there is literally no technology that can be employed in a place like the town of Lynne to mine safely, maybe that person should define safely, and maybe that person should have an engineering background or documents to back that up. Those documents from Lynne don't exist yet. Citizens don't like it when licensed professionals say they are wrong....

On to some of the inaccuracies. One of the dominant in my mind are that Gary Baier and this committee are advocating a mine. I think that's false. I am not advocating a mine. I cannot support the Lynne mine. We don't have the information. Anyone who is supporting the mine at this time is talking beyond the data. I personally believe there extremes in engineering technology that could make it safe. Those extremes in technology are also extremes in price. Now we're back to economics. Can we mine safely and economically. We don't know. We don't have that data right now. Someone supporting that mine at this time is talking beyond the data. We cannot support that mine without an environmental impact statement. You cannot predict the impact of something when you don't know what that something is. That is having the cart before the horse. The anti's don't want the information, they don't want the information developed or discussed. They oppose any possible mine and they oppose the process of getting that information. In my opinion, some people like the idea of fearing the darkness.

Another inaccuracy. A county board member asking how are we going to make the local governments ... for the costs. That indicates to me the board's lack of even a rudimentary understanding of Wisconsin mining law, net proceeds tax, local impact fund, local agreements including \$50-150 thousand to local governments where there's a notice of intent, long before there's an impact study.

Without going into environmental subjects, there is plenty of need for basic Wisconsin mining law education. "Meeting all state and federal regulations is not a standard for protecting the environment and will not protect the environment." I believe that is one person's definition of protecting the environment. Your definition of pollution is not the same as your neighbor's concept of pollution and I guarantee it is not the same as the regulatory definition of pollution. Are you going to let those of us with septic systems who are polluting the groundwater and surface waters with nitrates, phosphorus and pharmaceuticals define "protect the environment"? Are you going to let those of us who drive cars that emit kill you now toxic gases, low levels of mercury and contribute to storm water runoff worse than was taken to federal court for the Flambeau lawsuit, are you going to let those people define safe? Are you going to let the townships who allow people to shoot lead pellets into the woods for fun define responsible lead mining? Are you going to let those who divide 20 acres into 20 parcels with 20 septic systems, 20 basements, 20 furnaces, 20 driveways and a town road, you are going to let them define "pristine"?

If meeting current law isn't good enough, who gets to decide what is good enough? Zero pollution is not on the table. I have trouble thinking of anything we do that does zero pollution. I think this is based on hypocrisy and I believe this hypocrisy is based on many, many tiny sins against Mother Nature. It's based on I can sin against Mother Nature in my backyard but you cannot.

I never heard of or read a report that says one of 10 babies born in Minnesota are born with birth defects due to mining. I can supply you with an official report from Minnesota Dept of Health that says one of 10 babies has mercury blood levels above a threshold. A threshold that is a safety threshold that below that mercury is assumed to be safe. It is not considered by most to be a birth defect. The author of this report links data of the infant blood levels are linked to seasonality and attributes that to fish consumption. Now we are talking about coal local deposition vs global emissions. Government documents say a couple things about local deposition vs global emissions. ..Regulator of Minnesota says that 1/3 of their mercury is from taconite, 1/3 is from coal burning energy and 1/3 is from out of state. I can show you the data in Wisconsin. I am not a mercury specialist or an air pollution specialist. I can show you the data, the reports, that the mercury emissions from burning of coal is equal to twice as much as our fuel consumption mercury emissions. Now that's my car, my grocery store, my products, versus my cheap electricity. I am sorry, this is more for Mr. Shidell, not here right now. These are not light, short, breezy subjects. These are heavy, long winded subjects. I just spent 5 minutes rebutting one mercury claim from that August board meeting.

Sulfite mining, not sure what that is. Sulfide mining can, may accumulate? acid mine drainage. And "there is nothing they can do about it", is a false statement. No matter how

much you oppose mining, you cannot change the rules of chemistry. Acid can be neutralized with lime. We use thousands if not tens of thousands of tons of lime each year to neutralize acid. Heavy metals are removed from wastewater. They are removed in every town, city and metropolis wastewater treatment plant every day. We ... tons of copper every year from these wastewater treatment plants. That copper will not be recycled into new products. Recycling is not going to meet the demands we have for these metals. We want more and more boats out here in our recreation based economy. Yesterday there were a thousand boats out there and tomorrow there are a thousand and one. Most of those boats will have a crank? battery. Many of them have two batteries, and a trolling motor as well. We should be better at recycling but recycling is not going to meet that demand.

Here's one. We don't need zinc in Oneida County. Steel is mostly galvanized. Metal roofs are galvanized. Shingled roofs have galvanized nails. Cars have about 22 pounds of zinc in them, some as galvanized metal. Galvanizing protects steel, decreasing the demand for steel, thereby decreasing the demand for taconite mines. Decreasing taconite mining might be involved in decreasing the mercury emissions. Zinc mining saves the environment, but not in my backyard.

Acid mine drainage is not the same as battery acid you spill on yourself. Nobody knows the acid mine generation potential of the Lynne deposit because that data is not here yet. Acids come in different concentrations and strengths. We don't know how much the water will neutralize acid if it's produced in the Lynne deposit mine. We don't know how much the carbonate out there.

Fears of litigation costs. Chairman Maulson said I don't believe there's a tribe against mining. We're against mining that is going to destroy resources. ... until we have good clear, and convincing environmentally safe mining, then I'm all for that, until then...can't happen. We're all in agreement with this. Chairman Wiggins said show me the science. We're all in that boat. To me that sounds like a call for the science, a call for the environmental impact... doesn't sound to me like litigation costs, doesn't sound to me like someone is going to sue the owner of the land for drilling or acquiring the science.

Public hearings and information meetings. Public information meetings allow two way conversations, for the most part public hearings do not allow a debate on the floor. Public hearings, anyone can get up and talk as long as they want and it's talk and it's talk but all opinions are not the same.

Opposing a mine that hasn't been described is one thing, but opposing information gathering process is another. Why does the opposition oppose information gathering process. Why doesn't the opposition define safe. These are all long subjects that need to be done. I believe these backyard environmentalists with little or no credentials promote, and by their lifestyle, demand, unregulated mining in the third world rather than have their individual definition of pollution be questioned. While each and everyone of us continues to degrade the groundwater and the surface water and the air with our consumption based lifestyle. If you're going to have a referendum in the future or visit this subject again, these communication and education deficits need to be fixed and these inaccuracies be retracted.